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API	PLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/813,173		03/31/2004		Salvatore F. Nati	A8699	4480		
	23373	7590	09/25/2006	•	EXAM	EXAMINER		
	SUGHRUI		, PLLC NIA AVENUE, N.W.	HELLNER, MARK				
	SUITE 800	012 111	THE PROPERTY OF THE PROPERTY O		ART UNIT	PAPER NUMBER		
	WASHING	TON, D	C 20037	3663				
			•		DATE NAMED 00/05/0006			

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

·····		Applica	tion No.	Applicant(s)					
		10/813,	173	NATI ET AL.					
	Office Action Summary	Examin	er	Art Unit					
		Mark He	liner	3663					
Period fo	The MAILING DATE of this commun r Reply	ication appears on t	he cover sheet with the	correspondence ad	idress				
WHIC - Exter after - If NO - Failu Any r	ORTENED STATUTORY PERIOD F CHEVER IS LONGER, FROM THE M sions of time may be available under the provisions SIX (6) MONTHS from the mailing date of this comn period for reply is specified above, the maximum st- re to reply within the set or extended period for reply eply received by the Office later than three months a ed patent term adjustment. See 37 CFR 1.704(b).	IAILING DATE OF T of 37 CFR 1.136(a). In no on nunication. atutory period will apply and will, by statute, cause the a	THIS COMMUNICATION CONTROL OF THE PROPERTY OF	DN. timely filed m the mailing date of this of IED (35 U.S.C. § 133).					
Status									
1)	Responsive to communication(s) file	ed on .							
,	•	2b) This action is	non-final.						
,	Since this application is in condition	•		rosecution as to the	e merits is				
,	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Dispositi	on of Claims								
4)🖂	Claim(s) <u>1-74</u> is/are pending in the application.								
•	4a) Of the above claim(s) is/are withdrawn from consideration.								
5)	☐ Claim(s) is/are allowed.								
6)□									
7)	·								
8)🖂	Claim(s) 1-74 are subject to restrict	on and/or election re	equirement.						
Applicati	on Papers								
9)[The specification is objected to by th	e Examiner.							
10)	10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.								
	Applicant may not request that any obje	ction to the drawing(s)	be held in abeyance. S	ee 37 CFR 1.85(a).					
	Replacement drawing sheet(s) including	the correction is requ	ired if the drawing(s) is o	bjected to. See 37 C	FR 1.121(d).				
11)	The oath or declaration is objected to	by the Examiner. I	Note the attached Office	ce Action or form P	TO-152.				
Priority ι	ınder 35 U.S.C. § 119								
a)i	 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
2) Notic 3) Infon	t(s) e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (F mation Disclosure Statement(s) (PTO/SB/08) r No(s)/Mail Date	PTO-948)	4) Interview Summa Paper No(s)/Mail 5) Notice of Informa 6) Other:	Date					

Application/Control Number: 10/813,173

Art Unit: 3663

DETAILED ACTION

The election/species requirement of June 30, 2006 is hereby withdrawn in view of Applicant's response of June 30, 2006.

A new election/species requirement is being made in order to clearly identify a generic claim for examination.

Election/Restrictions

This application contains claims directed to the following patentably distinct species: Figure 2d (Invention A) drawn to a Master Oscillator Power Amplifier; Figure 6 (Invention B) drawn to a phase locked loop; Figure 7 (Invention C) drawn to the detailed control functions applicable to the Master Oscillator Power Amplifier: and Figure 8 (invention D) drawn to an oscillator. The species are independent or distinct because they have been identified by the specification as separate embodiments and they perform separate and distinct functions.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 50 is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims

Application/Control Number: 10/813,173

Art Unit: 3663

readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Application/Control Number: 10/813,173

Art Unit: 3663

Any inquiry concerning this communication should be directed to Mark Hellner at telephone number 571 272 6981.

Mark Hellner

Primary Examiner

Mark Hellier

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